



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY DENTAL COMMAND
2050 WORTH ROAD
FORT SAM HOUSTON, TEXAS 78234-6000

REPLY TO
ATTENTION OF

MCDS

21 October 2004

MEMORANDUM FOR All U.S. Army Dental Command Personnel

SUBJECT: U.S. Army Dental Command (DENCOM) Policy Letter 04-34, Alternate Work Schedules

1. An alternative work schedule (AWS) is an umbrella term used to refer to a variety of work scheduling arrangements outside the traditional 8-hour, 40-hour workweeks with their defined rigid starting and quitting times. Included in the term AWS is both flextime (flexible starting and quitting times) and compressed workweeks (work days and weeks of different lengths).
2. The DENCOM Commander has ruled that contract and military personnel will not participate in an AWS unless there is compelling evidence presented to the DENCOM Commander to allow this practice at a specific location. Dental Activities (DENTACs) that do not have recognized bargaining units will not initiate a new AWS.
3. Under The Federal Service Labor-Management Relations statute and the Federal Employees Flexible and Compressed Work Schedules Act of 1982, codified at 5 U.S.C. § 6120 *et seq*, alternate work schedules (AWS) are fully negotiable between the agency (a military unit) with recognized bargaining units.
4. For the DENCOM, the decision to implement an AWS is a negotiated decision that resides between the head of the agency (the DENTAC Commander) and the recognized bargaining unit. DENTAC Commanders must negotiate with the recognized bargaining unit regarding AWS unless the agency believes the schedule would have an "adverse agency impact." Adverse agency impact is defined by law as:
 - a. A reduction in the productivity of the agency,
 - b. A diminished level of services furnished to the public by the agency, or
 - c. An increase in the cost of agency operations (other than a reasonable administrative cost relating to the process of establishing a flexible or compressed schedule.)
5. When the DENTAC Commander and a recognized bargaining unit reach an impasse during collective bargaining over the institution of an AWS then the impasse is presented to the Federal Service Impasses Panel (FSIP). The FSIP takes final action in favor of the agency's determination if it is supported by evidence that the AWS is likely to cause adverse agency impact. Likewise, if the DENTAC and the recognized unit have entered into a collective bargaining agreement providing for the use of an AWS and the DENTAC Commander decides to

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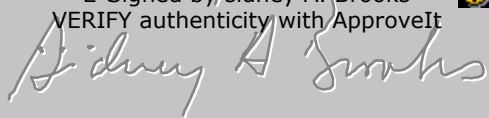
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terminate the AWS, then the DENTAC may reopen the agreement to seek termination of the AWS. If the DENTAC Commander and the recognized bargaining unit reach an impasse then the impasse is presented to the FSIP. The FSIP shall take action in favor of the DENTAC Commander's determination if the finding on which the determination is based is supported by evidence that the schedule has caused adverse agency impact.

6. The DENTAC Commander should consider that the following issues during negotiations with recognized bargaining units:

- a. Clinics will remain open on Monday through Friday except for holidays, trainings holidays, and scheduled events that require clinic closure.
- b. Adequate personnel must be available to staff the clinics at all times.
- c. There is no actual or perceived time off.

7. Point of contact is the Assistant Chief of Staff for Clinical Services, DENCOM at DSN 471-8865.

E-Signed by: sidney A. Brooks
VERIFY authenticity with ApproveIt 


SIDNEY A. BROOKS
COL, DC
Commanding